

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023



AGENDA NO.128.01	
Proposal No.	SIA/OR/MIN/66728/2021
Date of application	30.06.2022
File No.	66728/90-MINB1/06-2022
Project Type	Proposal for EC under violation category
Category	B1
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal of Environmental Clearance for Patamunda Manganese Mine over an area of 43.532 Ha. at Village: Patamunda, Tahasil: Koida, District: Sundergarh For M/S Sun Alloys & Minerals Ltd of Sri Rajib Lochan Mohanty – EC (Violation Case).
Name of the company/Organization	M/S Sun Alloys & Minerals Ltd.
Location of Project	Odisha
ToR Date	02.04.2022
Name of the Consultant	M/s Kalyani Laboratories Pvt. Ltd. Bhubaneswar

Proposal in brief: The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

1. M/s. Sun Alloys & Minerals Ltd. for Patamunda Manganese mines over an area of 43.532 Ha. at Village - Patamunda, Tahasil - Koida, District - Sundergarh, Odisha of Sri Rajib Lochan Mohanty (Managing Director).
2. The project falls under Category "B" or activity 1 (a) - Mining of Minerals under EIA Notification dated 14th September 2006 as amended from time to time.
3. Patmunda Manganese Mining Lease in village Patmunda of Sundergarh District Odisha was granted over an area of over 81.197 Ha in favour of Sun alloys & Minerals Ltd on 23.10.1991 which was executed on 12.02.1996 for 10 years i.e. till 11.02.2006.
4. This is an existing mine operating since 1996-1997 to 2009 and closed since 2009. As the mining was operating without obtaining prior- environment clearance the project will be appraised for Environment clearance under case of violation.
5. Based on the approved ToR vide letter no. 4301/SEIAA dated 02.04.2022, the EIA/EMP report, Damage assessment and remediation plan and natural and community resource augmentation plan has been prepared by M/s Kalyani Laboratories Private Limited, Bhubaneswar.
6. The public hearing for the Patmunda Manganese Mines of Sun Alloys and Minerals Ltd. conducted on 10.04.2012 at 10.00 A.M. at Madan Mohan High School field, Patmunda Village of Sundergarh district in accordance with the Ministry of Environment & Forest, Govt. of India, EIA Notification No. SO-1533 (E) dated 14th September 2006.
7. As the project is declared as a case of violation, the damage assessment, remediation plan, community and natural resource augmentation plan has been prepared. As per the plan the allocated budget for remediation plan based on the damage assessment due to violation is Rs. 22,38,000.00, Budget due to community and natural resource augmentation plan will be Rs. 43,00,000.00 and penalty due to violation will be Rs.1,83,372.00.
8. First RML application was filed on 04.02.2005 (one year before the expiry of the lease) for 20 years (from 12.02.2006 to 11.02.2026) on a reduced area over an area of 43.568 Ha deleting 37.629 Ha area occupied by tenants and local inhabitants within the executed ML area of 81.179 Ha. Mining operation continued within the ML area till 22.12.2009 under deemed clause of Rule

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023



- 24 A (6) of MCR 1960. Mining operation within the ML was closed by the DFO, Bonai vide letter No 6264 dt 22.12.2009 for want of forest clearance over an area of 0.036 Ha of DLC forest land.
9. The lessee again deleted 0.036 Ha DLC area from 43.568 Ha of applied RML area and submitted a letter to the Principal Secretary to Government, Department of Steel & Mines, Govt. of Odisha vide letter no. SAML/CO/2010-11/08-06 dated 06.08.2010 along with a fresh map over 43.532 Ha for consideration in respect of renewal of the lease area. The lessee deposited the demanded amount of Rs 2,03,00,894.96 (Rupees two crore three lakh eight hundred ninety-four and ninety six paise only) arising out of the final judgement of the Honourable Apex court dated 02.08.17 in the aforesaid Common Cause Matter of WP (C) 114/2014 related to Section 21 (5) of MMDR Act 1957. Based on the order of RA, lessee submitted his request to the state Govt for revocation of the lapsing order on 10.01.19 and 06.03.21 which is under active consideration.
 10. The Mining Lease was subsisting as on 12.01.2015, the date on which the MMDR Act, 1957 was amended. As per the provisions of Section 8A (3) read with Section 8A (9) of the amended provisions of the Act, the period of the Mining Lease is deemed to have been extended up to 11.02.2046 (for a total period of 50 years).
 11. The application for EC was made by the lessee and public hearing for the said project was conducted on 10.04.2010.
 12. The proposal was considered for EC at SEAC, Odisha on 18.10.2012 and Member Secretary State Environment Impact Assessment Authority (SEIAA) Odisha vide Letter No 365/SEIAA dated 27.12.2012 asked to submit the authentic copy of Stage – I Forest Clearance within 12 months for issuance of Environmental Clearance. In reply the lessee submitted a letter to Member Secretary SEIAA vide their letter No SAML/CO/2012-13/03-21 dated 11.03.2013. In this letter the lessee informed that the revised RML area over 43.568 Ha includes 0.036 Ha DLC forest land in south eastern boundary of the lease which has been deleted, retaining the RML applied area of 43.532 Ha. FMCP on 0.036 Ha area which was approved by IBM vide Letter No ORI/BHU/2011-12 Dated 28.10.2011.
 13. Replying the above letter of the lessee Member Secretary SEIAA issued a letter (Letter No 726/SEIAA dated 28.04.2014 –to submit the proposal afresh as per EIA Notification 2006.
 14. State Pollution Control Board, Odisha accorded Consent to Establish vide their letter No 22809/IND-II-5429 dated 12.11.2012.
 15. At the initial stage with reference to the application of the lessee dated 27.03.2006, OSPCB, Bhubaneswar issued consent order for air (Prevention & Control of Pollution) & Water (Prevention & Control of Pollution) vide their letter dated 13.07.2006 for production of manganese ore to the tune of 300 tonnes per month for Air/18B for Water). This was valid upto 31.03.2011.
 16. Mining within the ML area started in 1997-98 and continued till 2009-10 and was closed by the DFO, Bonai vide letter No 6264 dt 22.12.2009 (Annexure XIX) for want of forest clearance over an area of 0.036 Ha of DLC forest land. The mine is yet to be re-opened.
 17. The Mine was operating since 1997-98 and continued operation till 2009-10 without obtaining Environment clearance. Environment clearance is applicable to the mines under EIA Notification 1994 as well as 2006.
 18. Violation has been made by the lessee under E(P) Act, 1986 and the application for ToR has been made under the case of violation.
 19. The mining plan approved in 2016-17 and due to lack of violation, this mining plan was lapsed in 2015. The lease area is reduced to 43.532 Ha in the renewal application. Proposed production from the lease area during the revised scheme period from 2016-17 to 2020-21.
 20. Final Mine Closure Plan on 0.036 Ha DLC area was approved vide IBM Letter No FMCP/OTFM/03-ORI/BHU/2011-12 dated 28.10.2011. Certificates obtained under sub rule (2) of rule 29 (A) of MCR 1960 on approved FMCP over 0.036 Ha. Accordingly, a letter was

submitted to The Principal Secretary to Government, Department of Steel & Mines, Govt. of Odisha vide letter no. SAML/CO/2010-11/08-06 dated 06.08.2010 along with a fresh map for considering the RML area as 43.532 Ha. As Per Mines & Minerals (Development and Regulation) Amendment Act 2015 the lease shall be extended for a period of forty years i.e., 11.02.2046 (Total lease period is 50 years) w.e. from 12.02.1996.

21. Recent mining plan approved by Indian Bureau of Mines, Bhubaneswar vide letter no: RMP/A/04-ORI/BHU/2021-22, dated 17.06.2021.
22. **Location and Connectivity:** Patmunda Manganese ore Mines over an area of 43.568Ha. located in Patmunda Village, under Sub-division Bonai, Tahsil Koida in Sundargarh District, Odisha. Out of the total lease area 43.568 Ha, 43.532 Ha Govt. non-forest land, and 0.036Ha is Govt. Forest land. Lease area is a part of Survey of India toposheet No 73G/5 and is bounded by the latitudes from Latitude 21° 52' 15.58"N and Longitude 85° 18'16.839"E as per survey. Nearest railway stations is Barbil Railway Station at an distance of 45 Km. Nearest town is Koira is 10km. State capital Bhubaneswar via Jajpur – Keonjhor Road, is at a distance of 318 km where Airport is there. Rourkela Steel City via Lohanipura and Koira – Bhadrasahi is at a distance of 115 km. Jamsedpur via Chaibasa and Noamundi is 185 km far from the lease area. Paradeep port is at about 310 km and nearest NH is NH 215 at a distance of 6 km from the lease area. Suna River at a distance of 4.5Km. Nearest Reserve Forest is Khajurdihi RF – 4.8km.
23. **Reserves** - The mineable reserve of manganese ore in the lease area is 1,98,538 MT. In the ensuing plan period about 21,734 MT will be exploited. After this plan period balance mineable reserves of 1,77,164 MT of manganese ore will be available. Keeping in view the production of manganese ore @5500 per annum, life of the mine will be 32.21 years or say 33 years after the current plan period. So, total life of the mine will be 33 years including this plan period.
24. Presently there are four existing quarries namely Quarry-1,2,3 and 4. There are seven nos. of existing dumps are present in the lease area.
25. **Method of Mining** - Open cast semi mechanized system of mining is in practice since long to mine the manganese ore deposit adopting a system of bench formation keeping In mind the quality, cost, safety and conservation of mineral. No change in method of mining has been envisaged during the proposed review period. Quarry-2 and 4 shall be developed during the proposed review period (2022-2023 to 2025-26) from the insitu ore zone with lateral and depth ward extension. There is no regular need of blasting in the over burden and mineralized zone for development and ore production. Once the mineralized zone is exposed, low scale drilling shall be required which will be done by rock drill machine attached with compatible compressor for loosening the ore zone formation.

26. **Production Details:** The different types of ore production year-wise is given as follows:

Year	Total Saleable ore(MT)	Total Mineral Reject (MT)	Total ROM (MT)
2021-22	52 numbers diamond core drilling under exploration programme		
2022-23	5346	0	5346
2023-24	5445	0	5445
2024-25	5434	0	5434
2025-26	5509	0	5509
Total	21734	0	21734

27. **Waste management** - A total quantity of 145245 m3 waste (generated from the lease area + Re-handled existing waste dump) will be accommodated on the proposed dump over an area of 2.014 Ha. At the end of the conceptual period the total waste over the proposed dump will be utilized for backfilling of the exhausted quarries. Conceptually,7272 MT of mineral rejects will be generated. These mineral rejects will be stored in the earmarked site covering an area of 0.18 Ha. These mineral rejects shall be blended as far as practicable as per the demand of buyers.
28. **Green Belt** - During the period of operation of lease the lessee has planted nos of saplings.



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- During the existing plantation of 1995 saplings. In the ensuing scheme period, an area of 2.35 Ha. along the safety zone has been proposed for plantation of 5900 saplings.
29. **Water Requirement** - Water consumption will be limited to 20 KLD which consist of 5KLD for domestic (Permission obtained from CGWB), 5 KLD for dust suppression, green belt development purpose. Water for drinking / domestic use will be sourced from the ground water while water for non-domestic use such as plantation, water sprinkling etc. will be sourced from water harvesting ponds.
 30. **Power Requirement** - Electricity is available in the M.L. area. As the mine is operated in day shift only, there is no necessity of power for illumination at mines. Energy required; Diesel 800 Ltr/ Day.
 31. A total no. of 68 people will be employed in the mines (departmentally/contractually) which includes 6 managerial and supervisory staff, High Skilled and Skilled staff 12 nos., and 50 nos. of workers phase wise manner.
 32. Baseline study was conducted during October – December, 2021. The observations are Ambient air quality monitoring carried out in 8 different sampling locations. During the study period, the concentration of PM10 in the project site varies from 46 to 57 $\mu\text{g}/\text{m}^3$ and from 46.4(Ramka Village) to 85.5(Koida) $\mu\text{g}/\text{m}^3$ in the nearby villages. The average value of PM2.5 in the project site is 23 to 25 $\mu\text{g}/\text{m}^3$ and the average of PM2.5 varies from 23.3 (Podadihi) to 44.5(Koida) $\mu\text{g}/\text{m}^3$ in the surrounding villages. Other parameters like, SO₂, NO_x, CO, Ozone, are within the prescribed limit of NAAQS standard as prescribed by CPCB.
 33. The ground water samples were collected from 8 different sampling stations and analyzed as per IS 10500:2012 to assess the portability of the ground water.
 34. As Per the data it has been observed that the pH of the ground water varies 6.50 to 6.80, Chlorides Ranges From 12.0 to 44 Mg/L, Sulphates value found to be between 2.4 to 20.9 mg/l, Fluoride Ranges low in lease area i.e. 0.12 to 0.39 mg/l, Hardness varies from 32-168 mg/l, and Total dissolved solid 40-210 mg/l.
 35. The ambient noise levels were measured in 8 sampling locations. In the project site the day time noise level is 29.5 dB (A) and the night time noise level is 22.4 dB (A). The maximum noise level is 50.4 dB (A) during the day time at Koida Village and minimum noise level is 29.5 dB (A) during the day time at lease area. The maximum noise level is 42.6 dB (A) during the night time at Koida Village and minimum noise level is 22.4 dB (A) during the night time at lease area. The noise level is found to be maximum in Koida Village.
 36. The cost of Project is ` 295 lakh. The allocated capital EMP cost for the project will be Rs. 67.5 Lakhs and 17.6 Lakhs allocated as recurring EMP cost.
 37. The Environment Consultant M/s Kalyani Laboratories Pvt. Ltd. Bhubaneswar along with the proponent made a detailed presentation on the proposal before the Committee on 03.08.2022.
 38. The SEAC in its meeting held on dated 03-08-2022 decided to take decision on the proposal after receipt of certain information / documents from the proponent.
 39. The proponent has furnished the compliance and the SEAC verified the same as follows:

Sl. No.	Information Sought by SEAC	Compliance furnished by the proponent
i)	Compliance to NEERI recommendation for Manganese mine expansion to be submitted.	Lessee will follow the Recommendations of CSIR-NEERI Report on "Carrying Capacity Study for Environmentally Sustainable Iron and Manganese Ore Mining Activity in Keonjhar, Sundargarh and Mayurbhanj district of Odisha State" as applicable for the mines. However, point wise compliance of the NEERI conditions has been attached as

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023



		Annexure 1.
ii)	Detailed plan for Dump management and dust suppression and mitigation measures suggested towards issues raised in Public Hearing.	Details of Dump management and dust suppression and mitigation measure has been attached as Annexure 2.
iii)	Details of Public Hearing with proposed redress point wise to be submitted.	Details of public hearing and time bound action plan in compliance to public demand is attached as Annexure 3.
iv)	Safety measures to protect Damsala Nala.	Damsala nala is not located near the project site as the project is located in Sundargarh district and Damsala nala is flowing near Sukinda. The nearest nala is Suna Nadi which is flows at 4.5 Km from the project and there is no anticipated impact of the project on Suna Nadi as the maximum impact of the mines will be limited up to 500m from the source.
v)	Cross-sectional dimension of retaining wall and garland drain shall be furnished.	Dimension of the retaining wall and garland drain is given in Annexure 2.
vi)	Conversion of agricultural lands to mining use with help of concerned Authority Revenue Department.	The land has been allocated for mining operation.
vii)	Specific measures taken Manganese poisoning in that area.	Details of measures taken to mitigate manganese poisoning due to mining activity is given as Annexure 4
viii)	Reclamation Plan for Dump after conceptual plan.	Dump reclamation plan has been elaborated in Annexure 2.
ix)	Budget details of EMP.	Detail EMP budget is attached as Annexure 5.
x)	Details of DLC land surrendered and the same acceptance Letter by IBM to be submitted.	The DLC land of 0.036 Ha has been surrendered by the lessee and certificate has been issued by IBM. Retained area of the lease is 43.532 Ha. Copy attached as Annexure 6.
xi)	Native/local species should be planted which has survival rate is 90%. And increase the greenbelt plantation within lease area.	Detail plantation plan is attached as Annexure 7.
xii)	Status of legal case filed if any under section 19 of Environment (Protection) Act, 1986 for violation.	The case against the lease under section 19 of Environmental (Protection) Act, 1986 for violation is under process at state govt.
xiii)	Conversion of Agriculture land for use of mining purpose.	For operation of mines surface right must be obtained from district administration



where the land conversion is a part of the process as and when required after obtaining EC. However, this is an existing mine and having surface right for 7.50 Acre, 7.88 Acre & 15.53 Acre, Total 30.91 Acres of area is as enclosed as Annexure 8. The area under surface right is being / will be used for mining operation.

Further, Surface right area will be accorded by the district administration as & when required with due process which will include land conversation.

40. The SEAC observed the following during the meeting held on 05.11.2022:

- a) The proposal was considered by the State Level Expert Appraisal Committee (SEAC), Odisha in its meeting held on 05.01.2022 for appraisal of the proposal for ToR in pursuance of the MoEF&CC, Govt. of India Notification dated 14th March, 2017. The SEAC, after deliberations on the proposal in terms of the provisions of the Notification dated 14th March, 2017, confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:
 - (i) The State Government to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no Consent to Operate to be issued till the project is granted Environmental Clearance.
 - (ii) The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of Environmental Clearance. The quantum is recommended by the SEAC based on EIA report and finalized by the regulatory authority i.e. SEIAA, Odisha. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority i.e. SEIAA, Odisha.
 - (iii) Public hearing has already been conducted for the proposal earlier on 10.04.2012, a copy of which is also furnished with EIA/EMP. For this reason, conducting a fresh Public Hearing has been exempted.
- b) EIA/EMP study report has been prepared by a NABET Accredited / NABL Accredited Consultant namely **M/s Kalyani Laboratories Pvt. Ltd. Bhubaneswar.**
- c) Detailed assessment of Ecological Damage, Remediation Plan and Natural and Community Resource Augmentation Plan has been incorporated in the EIA report.
- d) An amount of Rs. 43,00,000.00/- (Rupees Forty three lakh only) has been estimated in the EIA / EMP report towards the cost of assessment of Environmental / Ecological damage due to violation as well as Natural and Community Resource Augmentation Plan.
- e) There is no specific guideline issued by the MoEF&CC, Govt. of India for assessment of Environmental and Ecological Damage as well as estimation of cost for remediation plan as well as Natural and Community Resource Augmentation Plan.
- f) In the absence of any guidelines, the cost as suggested by the proponent in the EIA report above to be taken into account for remediation plan as well as Natural and Community Resource Augmentation Plan. However, the proponent has to abide by the guidelines if issued by the MoEF&CC, Govt. of India in future and accordingly the proponent has to comply. To this effect, they have to submit an undertaking in form of a legal affidavit.
- g) No record is available in the file about initiation of legal action against the project proponent by the State Govt./SPCB under the provisions of section 19 of the Environment (Protection) Act, 1986 for violation of the EIA Notification, 2006. To this effect, they have to submit a legal

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

affidavit that no legal action is either initiated or pending against them.

41. The SEAC in its meeting held on **05-11-2022** recommended for grant of Environmental Clearance for production of 5509 Ton/Annum of Manganese over mining lease area of 43.532 Ha. at Village - Patamunda, Tahasil - Koida, District - Sundergarh, Odisha with the following specific conditions in terms of the provisions of the MoEF&CC, Govt. of India notification dated 14th March, 2017 and SoPs for violation cases issued by the MoEF&CC, Govt. of India in addition to the stipulated conditions. **However, the Environmental Clearance shall be issued by the SEIAA after receipt of relevant bank guarantee as stated above.**

- (i) The SEAC recommended for an amount of ₹ 43,00,000.00/- (Rupees Forty three lakh only) towards Remediation plan and Natural and Community Resource Augmentation plan as the proponent has gone for excess production of chromite Ore without prior Environmental Clearance under EIA Notification, 2006.
- (ii) The project proponent shall be required to submit a bank guarantee of an amount of ₹ 43,00,000.00/- (Rupees Forty-Three lakh only) towards Remediation plan and Natural and Community Resource Augmentation plan with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- (iii) The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC, Odisha and approval of the regulatory authority (i.e SEIAA, Odisha).
- (iv) The SEIAA, Odisha may consider to request to the Govt. in F&E Deptt., Govt. of Odisha to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986 for violation of the EIA Notification, 2006. Environmental Clearance is to be issued after initiation of legal action against the project proponent.
- (v) The proponent has to abide by the SoPs for violation cases issued by the MoEF&CC, Govt. of India.
- (vi) Following specific conditions to be stipulated in Environmental Clearance:
 - (a) Haulage road shall be developed and maintained perennially and perpetually by the proponent in consultation with the concerned authority of the Govt.
 - (b) CER related issues as per MoM of public hearing held on 10.04.2012 may be prescribed as special condition in EC.

42. The proposal was placed in the 103rd meeting of SEIAA for consideration of EC. The Authority deliberated on the matter and observed the following:

ADS After going through the EIA/EMP report, the Authority made the following observation:

- a) The cost of EMP plan shall be separate from the remedial plan and Natural & Community Resource Augmentation Plan.
- b) The certificate of turn over should be obtained from certified Chartered Accountant (CA).

Further, the authority decided to refer back the proposal to SEAC for re-examination in the light of MoEF&CC, GoI SOP dated 07.07.2021 in regard to amount of penalty to be imposed, amount of bank guarantee to be submitted for remedial plan and Natural & Community Resource Augmentation Plan for the violation involved.

43. The SEAC in its meeting held on dated **27-03-2023** decided to take decision on the issues as requested by the SEIAA, Odisha after receipt of clarification from the proponent about the amount of penalty to be imposed with justification as per the Standard Operating Procedure (SoP) of MoEF&CC, Govt. of India issued Vide OM no. F.NO. 22-21/2020-IA.III, dated 07.07.2021.

Sl. No.	Information Sought by SEAC	Compliance furnished by the proponent	Views of SEAC
1.	The SEAC decided to take decision on the issues as requested by the SEIAA, Odisha after receipt of	Amount of penalty estimated in respect of the Patamunda Manganese Mines following Standard	a) Cost proposed for Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

clarification from the proponent about the amount of penalty to be imposed with justification as per the Standard Operating Procedure (SoP) of MoEF&CC, Govt. of India issued Vide OM No. F.No. 22-21/2020-IA.III, dated 07.07.2021.	Operating procedure of MoEF &CC, Govt of India; has been detailed in the final EIA/EMP Report. The excerpts of which has been attached herewith as Annexure -1.	Plan for Damage Assessment Rs. 22,38,000.00. b) The certificate of turnover obtained from certified Chartered Accountant (CA) for the period of 1996 to 2011: Rs.2,93,91,218.00. Cost of project – 295lakhs. So, total penalty due to violation is Rs. 3,68,478.00. Since, the project proponent has Suo - moto reported the violation, so as per the OM the penalty is halved which comes out to be Rs. 1,84,239.00 to be paid for the violation.
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44. The Committee observed the followings;

- Cost proposed for Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment is Rs. 22,38,000/- (Rupees twenty-two lakhs thirty-eight thousand only).
- Cost of assessment of Environmental / Ecological damage due to violation is Rs. 43,00,000/- (Rupees forty-three lakhs only).
- Total cost towards Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage is Rs. 65,38,000/- (Rs. 22,38,000 + Rs. 43,00,000/-) for which the proponent has to submit Bank guarantee with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- Total cost of the project is Rs. 295 lakhs and 1% of the project cost is Rs. 2,95,000/-
- The certificate of turnover obtained from certified Chartered Accountant (CA) for the period of 1996 to 2011 is Rs.2,93,91,218/- and 0.25% of the turnover is Rs. 73,478/-
- Total penalty to be paid by the proponent as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021 for violation is (1% of the project cost + 0.25% of turnover) = Rs. 2,95,000 + Rs. 73,478 = Rs. 3,68,478/- (Rupees three lakhs sixty eight thousand four hundred seventy eight only).**
- The proponent has intimated that they have suo-moto reported the violation and claimed that they may be allowed to pay half of the total penalty calculated as SoP of MoEF & CC, Govt. of India dtd. 07.07.2021 for violation. But, violation was observed by SEAC, while considering the TOR and they have not suo-moto applied for violation. Hence, they have to deposit full penalty amount i.e., Rs. 3,68,478/- (Rupees three lakhs sixty-eight thousand four hundred seventy-eight only).**

Considering the above & after detailed discussion, the SEAC recommended the following;

- The project proponent shall be required to submit a Bank Guarantee (BG) of an amount of Rs. 65,38,000/- towards Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- The proponent has to deposit separately (other than BG) an amount of Rs.3,68,478/- towards the penalty for violation as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021.

- Any deficiencies/omission have been noticed in the above documents- Nil

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

1. **Whether SEAC recommended the proposal** –Yes, the SEAC recommended the proposal for EC in its meeting held on 19.06.2023 above mentioned additional conditions.

The SEAC recommended the following;

- a) The project proponent shall be required to submit a Bank Guarantee (BG) of an amount of ` 65,38,000/- towards Remediation Plan, Natural Resource Augmentation Plan & Community Augmentation Plan for Damage Assessment & assessment of Environmental / Ecological damage with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- b) The proponent has to deposit separately (other than BG) an amount of `3,68,478/- towards the penalty for violation as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021.

Decision Of Authority: ADS

After detailed deliberation in the matter, the Authority decided to seek clarification on the following points:

- a) The PP may be asked to submit the proof of filing of prosecution against them under the EP Act 1986 for the violation committed in the project.
- b) The PP may be asked to submit Bank Guarantee of Rs. 65,38,000/- towards remediation plan, natural resource augmentation plan and community augmentation plan for damage assessment and assessment of environmental / ecological damage. Also, the PP is required to submit proof of penalty payment of Rs. 3,68,478/- with the SPCB, Odisha prior to the grant of EC as per provision of SOP dated 07.07.2021 issued by MoEF&CC, Govt. of India.

APPROVED BY


Member Secretary, SEIAA


Member, SEIAA


Chairman, SEIAA



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

AGENDA NO.128.02	
Proposal No.	SIA/OR/MIN/421885/2023
Date of application	05.04.2023
File No.	421885/100-MINB1/04-2023
Project Type	Proposal for EC under violation category
Category	B1
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal of Environmental Clearance for Production of 90043 Tpa Iron Ore In Respect of Nangalsila Iron Ore Mines Located In Village Nangalsila and Murumdihi over an area 45.333 Ha of Non-Forest Land under Kusumi Tahasil In Mayurbhanj District of Shri Gouri Shankar Choubey – EC Under Violation Category
Name of the company/Organization	Sri Gouri Shankar Choubey
Location of Project	Odisha
ToR Date	14.03.2022
Name of the Consultant	M/s Aseries Envirotek India Pvt Ltd, Lucknow

Proposal in brief: The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

- This proposal is for Environmental Clearance for production of 90043 TPA Iron Ore in respect of Nangalsila iron ore mines located in village Nangalsila and murumdihi over an area 45.333 ha of non-forest land under Kusumi Tahasil in Mayurbhanj District of Shri Gouri Shankar Choubey.
- Category:** The proposed project falls under Category 'B' [Sl. No 1(a) of Schedule: Mining of Minerals] of the list of project or activities requiring prior Environmental Clearance from MoEF&CC Notification dated 14th September, 2006 in connection with Environment (Protection) Rules 1986.
- TOR Details:** Terms of Reference (TOR) was granted by SEIAA, Odisha vide letter no 4200/SEIAA dated: 14.03.2022.
- Chronology of events of the project details:**
 - Mining Lease of **Nangalsila Iron Ore Mines** over 45.333 Ha. located in village Nangalsila & Murumdihi under Kusumi Tehsil, District- Mayurbhanj, Odisha for Iron ore was granted in favour of Sri Gouri Shankar Choubey by the Department of Steel & Mines, Government of Odisha vide proceeding No.6876 dated 07.06.1982 in terms of 20 years. The Deed of Mining lease was executed on 19.04.1985 with the State Government represented through the Collector, Mayurbhanj and registered on 18.07.1985 with the Sub-Register, Baripada. Surface right has been granted over 32.780 Ha by the Collector Mayurbhanj, Odisha vide letter dated 17.08.1985.
 - Keeping in view of expiry of the lease period the lessee was applied for 1st Renewal of Mining Lease (RML) over the same lease area of 45.931 Ha which inclusive of 0.174 Ha of village forest land and 0.424 Ha of non-forest revenue as well as private tenanted land under provisions of Rules 24A(1) of Mineral Concession Rules, 1960 for a period of further 20 years on 14.04.2004.
 - Scheme of Mining approved for 45.931 Ha by the Indian Bureau of Mines vide Letter No. BBS/MBJ/Fe/MP-284 dated 25.08.2006 for the period 2005-06 to 2009-10.



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- The lessee/project proponent had continued production with the earlier capacity up to the year 2008-09, under provisions of Rule 24A(6) of Mineral Concession Rules, 1960 i.e. Deemed extension provision. The Mining Officer, Baripada Circle, Baripada vide letter No.4837/Mines dated 19.11.2009 has suspended mining operation/activities until getting all statutory clearances including environmental clearance. No violation was mentioned in the said notice.
- In compliance to the instruction issued by the Mining Officer, Baripada Circle, the lessee was proposed to surrender the small patch of forest land over 0.174 Ha which was kept unused from any mining activity along with few non-working non-forest lands of 0.424 Ha which was not required for future mining work and occupied by the local villagers.
- The lessee was submitted revised RML application vide its letter dated 28.04.2011 to the Steel & Mines Department, Government of Odisha over the reduced area of 45.333 Ha non-forest land only by surrendering 0.598 Ha of non-working forest and non-forest land to keep the project commercially and technically viable.
- The lessee had submitted Final Mine Closure Plan for the part surrender area over 0.598 Ha inclusive of 0.174 Ha of unused village forest land out of the total ML area of 45.931 Ha. Final Mine Closure Plan of the part surrender of 0.598 Ha out of the total area 45.931 Ha duly approved by Indian Bureau of Mines vide letter No. FMCP/MAN/02-ORI/BHU/2011-12 dated 05.09.2011 under Rule 23 (C) of MCDR, 1988.
- Scheme of Mining along with Progressive Mine Closure Plan duly approved by the Indian Bureau of Mines vide letter No.SM/OTFM/27-ORI/BHU/2011-12 dated 28.10.2011 for the period 2010-11 to 2014-15.
- After satisfactorily complied the terms and conditions imposed in the approval letter dated 05.09.2011, officials from Indian Bureau of Mines was inspected the mine and certificate of FMCP for the approved area over 0.598 Ha under Rule 29A of MCR, 1960 has been issued by the Regional Controller, Indian Bureau of Mines, Bhubaneswar vide his Certificate No. T/FMCP/C/I/BHU-2011 dated 08.02.2012.
- During the pendency of the 1st RML application, the Government of India on 12.01.2015 announced promulgation of the ordinance for amendment in the Mines and Minerals (Development and Regulation) (MMDR) Act, 1957 and introduced new MMDR Amendment Act, 2015. As per the new amendment any lease granted before the commencement MMDR Act, 2015, shall be extended: (i) up to March 31, 2030 for minerals used for captive purpose (specific end-use) and up to March 31, 2020 for minerals used for other than captive purpose, or (ii) till the completion of renewal period, or (iii) for a period of 50 years from the date of grant of such lease, whichever is later. Accordingly, the lease of Nangalsila Iron Ore Mines is eligible for extension upto 50 years w.e.f. 19.04.1985 to 18.04.2035 under section 8A(3) of the MMDR Amendment Act, 2015.
- In the meanwhile, the Government of Odisha, through Department of Steel & Mines issued notice vide their order No.57111/S&M/III(A)SM-24/2013 dated 25.06.2015 in favor of the lessee declaring the mining lease of Nangalsila Iron Ore mines as "Lapsed" w.e.f. 18.11.2009 under provisions of Section 4A of the MMDR Act, 1957 read with the Rule 28(1) of MC rules, 1960.
- The said notice was challenged by the lessee before the Hon'ble Revisional Authority, Ministry Mines, New Delhi vide RA No.22/46/2015/RC-I dated 06.08.2015. Hon'ble Revisional Authority, Ministry Mines in their common order dated 11.05.2016 set aside the impugned order of lapsing and remanded back to the State Government for suitable reconsideration in-line with the Hon'ble Apex Court's direction dated 04.04.2016 passed in W.P.(C) No.114/2014 (Common Cause vrs Union of India) on the provisions of lapsing.
- Under direction of the Hon'ble Revisional Authority, the Department of Steel & Mines was called lessee to appeared before the Additional Secretary to Government, Department of Steel



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- & Mines for personal hearing vide Notice No.1779/SM, Bhubaneswar dated 17.02.2020.
- After conducted personal hearing and based on representation submitted by the lessee the Steel & Mines Department, Government of Odisha passed an order vide its proceeding order No.8913/SM, Bhubaneswar dated 05.10.2021, wherein the Government after careful consideration have been pleased to consider not to declare the mining lease of Nangalsila Iron Ore Mine of Sri Gouri Shankar Choubey as lapsed under sub-rule 6 of Rule 20 of Rule 20 of MCR, 2016. Further, recommended that resumption of the said mining lease is subject to obtaining statutory clearances and approval of renewal of 1st RML applied by the lessee.
 - In the meanwhile, the 1st RML application of Nangalsila Iron Ore Mines was placed in the 19th Meeting of Inter-Departmental Committee of Government of Odisha to consider extension of Mining Lease under section 8(A) of the MMDR Act, 1957 up to 50 years w.e.f. 19.04.1985 to 18.04.2035.
- 6. Details of violation**
- The Lessee has produced in excess of approved limit of production under EC, Mining Plan and CTO. In this regard, the details of action initiated under Environment (Protection) Act, 1986.
 - Further, in pursuant to order/judgement dated 02.08.2017 in W.P.(C). No.114/2014 (Common Cause Vs Union of India & Others), the Mining Officer, Baripada had issued demand notice to the lessee for payment of Rs.3,46,41,047/- towards compensation for the production of iron ore without/in excess of the EC Limit under section 21(5) of MMDR Act, 1957 by 31.12.2017.
 - Subsequently, the Mining Officer, Baripada vide Notice No.3450 dated 20.12.2017 had issued a revised demand notice to the lessee to deposit Rs.2,91,58,813/- on ore before 31.12.2017 pursuance to para 225 of the order of the Supreme Court dated 02.08.2017.
 - Against the such demand, the lessee has paid/deposited entire raised demand towards compensation with applicable interest due to delay in payment totaling to Rs.4,51,50,000/- and complied the order of the Hon'ble Apex Court in the Common Cause matter. In addition to the above, the lessee/project proponent has also made payment towards compensation amounting to Rs.6,51,500/- for which a separate demand notice was issued in violation of MP & CTO. The Director of Mines, Odisha, vide their letter No.5629 dated 23.07.2019 reported that during the period from 03.06.2019 to 02.07.2019, the Noticee/Lessee has deposited the entire demanded amount along with applicable interest.
 - The lessee has submitted an affidavit, in compliance of the MoEF&CC, Government of India, O.M. No. F: 3-50/2017-IA.III (Pt.), dated 30.05.2018 on the judgment of Hon'ble Supreme Court, dated the 2nd August, 2017 in Writ Petition (Civil) No. 114 of 2014 in the matter of Common Cause versus Union of India along with TOR application.
- 7. As the project is declared as a case of violation, the Project Proponent shall be submitting a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of Environmental Clearance after recommendation of the SEAC, Odisha and finalized by the regulatory authority i.e. SEIAA, Odisha. Total budgetary provision were made towards the implementation of natural community augmentation plan and shall be utilized within a period of three years (2023 to 2026) as given below:**

SL.N O.	PROJECT HEAD	AMOUNT IN RS.
i)	Estimated cost on remediation plan based on the damage assessment due to violation	17,07,500.00
ii)	Cost estimate for natural resources augmentation plan and Community resources augmentation plan	2,55,000.00

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

lii)	Penalty due to violation	1,08,425.00
	Total	20,70,925.00

8. Consent to establish (CTE) has been granted to the project by State Pollution Control Board, Odisha vide Letter No.2752/IND-II-CTE-6806 dated 23.02.2023 for production of 90,043 TPA (ROM) through opencast semi mechanized method of mining along with installation of (1x60 TPH) crusher and 1x400 TPH Mobile Screening Plant inside the ML area over 45.333 Ha.
9. In compliance to the condition imposed in the deed of lease, the PP has obtained permission for surface operation from the Collector & District Magistrate, Mayurbhanj in 1985 over 32.870 Ha. The PP is paying surface rent on regular basis to the State Government through Mining Department. An amounting to Rs. 21,40,126/- paid towards SR & DR by the PP up to 1st HYE 2022.
10. **Location and Connectivity:** Nangalsila Iron Ore Mine features in Survey of India Topo-sheet No.73-J/4 and extends over an area of 45.333 hectares non-forest land is located in Villages Nangalsila and Murumdihi at P.S/ Tehsil- kusumi under Bamanghaty Sub-division of Mayurbhanj District. Bounded by Latitude: 22°09'23.58"N – 22°09'21.09"N and Longitude: 86°12'53.79" E – 86°12'57.21"E .The project site is well connected with various places of Odisha, Jharkhand and West Bengal through by Road and Rail network. Kuldhia- Nearest Railway siding and Railway Station-8Km Bisoi-Rairangpur State Highway-11km. NH-220- Rairangpur Dhenkikot-14 km, Bhubaneswar- Airport and Capital of Odisha-300km. Badampaharh R.F. 0.40 km SE, Karan Jharan Dhasra R.F. 0.80 km SE. Nearest major water bodies are Kadkai River 0.54 km NE direction from the lease area, Bankbal Reservoir 7.96 km ENE direction from the lease area, Bankbal Nadi 7.39 km NE direction from the lease area and One seasonal nala/stream starts from 307mRL in southern sector and flows down to through 303mRL in the northern sector.
11. The project site is located well beyond 10KM from Simlipal Biosphere Reserve and Eco-Sensitive zone. The same is authenticated by the Divisional Forest Officer, Rairangpur vide letter No777/3F dated 10.02.2023. Further, No Schedule-I & II flora and Fauna exist within the 10KM of the lease area as per letter No. 1715/3F dated 04.04.2023 of DFO, Rairangpur division.
12. **Land Use:** The percent of total area under different land use/land cover category are presented below.

Land Use Pattern of the Study Area			
Sr. No.	Classes	Area in ha	Area in %
i)	Agriculture Area	25035.90	72.10
ii)	Settlements	2374.70	6.84
iii)	Grazing/ Community Land	1300.00	3.74
iv)	Surface Water Bodies	1111.70	3.20
v)	Forest	3601.00	10.37
vi)	Other	1300.00	3.74
Total		34723.30	100.00

13. **Size & Magnitude:** The project Nangalsila Iron Ore Mines has been projected to produce 90,043 TPA or 0.09 MTPA iron ore involving lease area 45.333 Ha. The method of mining will be opencast and by other than fully mechanized method. The operation will be done as per the proposal approved in the Review of Mining Plan duly approved by the Indian Bureau of Mines for the period 2020-21 to 2024-25.
14. **Topography and drainage:** The mining lease area of Nangalsila Iron Ores Mines displays a flat topography. Highest and lowest altitudes are noted at 300.5 m and 291.5 m above mean sea level. The maximum altitude difference is (300.5 – 291.5= 9m). M.L. area consists of mainly waste land as well as agricultural field and bisected by nalla. Drainage system is dendritic type. The drainage system of the area is mostly influenced by nalla which passes through the lease area in SE to NW



direction and controls the drainage system in the region.

15. **Reserve & Resource:** As per the approved mining plan, proved minable reserve is about 95,868 MT and remaining resource is about 1.2 million tons as per earlier mining plan. Considering the proved reserved category, it is proposed to produce 90,043 TPA during the proposal year. The operation of the mine has been suspended by MO, Baripada vide letter dated 11.08.2009 due to want of certain statutory clearances. In the meanwhile, PP has requested the department of steel & mines vide letter dated 04.05.2022 and department of steel and mines rejected the request of PP stating that the exploration can be done only after execution of supplementary lease deed by obtaining all statutory clearances vide letter dated 22.06.2022. Therefore, it is proposed to explore the entire lease area up to G1 level exploration after opening of the mine and fresh reserve estimation will be done accordingly. Therefore, life of the mine will be positively increased upto 12 years.
16. **Method of Mining:** Opencast Other than fully mechanized (OFTM) method of mining will be adopted on 8 hourly shift basis. Excavator of 0.9m³ capacity will be utilized for excavation & loading and 10 tones capacity tippers will be utilized for transportation of ore to the ore sorting & sizing yard and waste to the dumping site. Hard iron ore will be crushed using a 60 TPH crusher and entire iron ore produced will be screened in a 400tph screening plant. Saleable ore will be dispatched through trucks / train depending upon the location of consuming industries and logistic support. The mine will be operated as Category-A (OFTM) Mine as per MCDR, 2017.
17. **Waste and Over Burden:** During the plan period about 8,343m³ of Top soil and 70,980m³ of over burden and side burden (OB+SB) will be generated during the proposed plan period. An area measuring 0.278 Ha and 1.182 Ha has been earmarked for storage of top soil and over burden dump respectively. Overburden will be dumped at Dump No.3 with individual terrace height of 7.5 meters. Slope of the dump will be maintained at 37degree 30Minute. Retaining wall will be constructed around IB/Waste dump to retain the wash-off materials. Boulder and waste materials will be utilized for construction of retaining wall.
18. **Water requirement:** The water required is mainly for dust suppression, green belt development, drinking and other domestic purpose during mining operations. Water requirement for Domestic purpose, drinking purposes, dust suppression and water sprinkling purpose at the mine site shall be drawn from nearby bore wells& hired tanker for sprinklings. The total water requirement will be approx. 9.8 KLD will be sourced from borewell and water harvesting pond. NOC granted by the Central Ground Water Board, Authority for withdrawing 9.8 KLD water per day for mining & allied activity vide letter No. 21-4/3507/OR/MIN/2022 dated 29.03.2022.
19. **Power requirement:** The estimated power demand is ~10 KW for illumination, operation of weighbridge, surveillance system & water pumps. The power shall be drawn from the grid.
20. **Fuel requirement:** The mining activities will be carried out by opencast mechanized method, using diesel operated machinery. The mining operation will be done in single shift during day time only. The fuel (HSD) consumption in the mine operating at full capacity shall be 2.4 kl.
21. **Green Belt:** About 22,425 saplings has been proposed to be planted within a period of 3 years after commencement of mining operation. Out of which, about 7875 numbers of saplings will be planted in 3150m²/3.15 hectares of area along the Safety zone and other vacate site of ML area. Saplings will be planted at 2m spacing. Watering and manuring will be done periodically. Post plantation care such as soil working, pruning etc. will be conducted. Insecticides will be spread for pest control. Proper watch and ward will be there to save the trees from fire & grazing. Monitoring & Maintenance of the plantation site will be undertaken in such way that there will be at least 80% survival rate through casualty replacement. Species like Sisoo, Sisham, Neem, Pipal, Bargad, Khamer, Chirol, Seetaphal, Karanj, Babool, Kadamb, Amaltas, Ashoka, Aam, Gulmohar and available native fruit bearing species has been proposed to plant. The proposed planted scheduled is tabulated as follows:



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

SL.NO	YEAR	NUMBER OF PLANT
i)	1 st Year (2023-24)	7,475
ii)	2 nd Year (2024-25)	7,475
iii)	3 rd Year (2025-26)	7,475
Total		22,425

22. **Public Hearing Details** - Public hearing has been conducted on 19.08.2022 by the SPCB, Odisha as per provisions of EIA Notification 2006 and proceeding issued vide letter dated 19.09.2022. Issues raised by the participants are Development of Environment Protection, Employment to the local youth, Development of Education system, Development of Health system, Peripheral Development work to be undertaken nearby villages. Budget allocated amounting to Rs.5,50,000/- earmarked under different category towards implementation of the issued raised by the participants and commitment made by the Project Proponent, Peripheral development work will also be done as per the guidelines notified by the Government.

SL.No.	PH based CER Activities	Amount in Rs.
i)	Economic contribution for cultural activities, sports, education, health care etc.	3,00,000.00
ii)	Construction of Boundary wall & White wash of primary school village Suleipat & Suleipat New Government High School, Provision for one computer with printer in primary school village Suleipat	2,50,000.00
iii)	Peripheral development (Rs. 4,00,000.00)	Already covered in EMP
TOTAL		5,50,000.00

23. **Baseline Study** - The baseline environmental study has been performed for the period of 1st December, 2021 to 28th February, 2022.

- Results of Soil Samples: The analysis results show that soil is basic in nature as pH value ranges from 5.15 to 6.55 with the concentration of Sodium (12.0mg/kg to 33.5 mg/kg and Potassium (107.5 kg/ha to 174.7 kg/ha.) has been found to be in good amount in the soil samples.
- Analysis results of Ground Water reveal the following: pH varies from to 6.50 to 6.70. Total Hardness varies from 60to 192mg/ L. Total Dissolved Solids varies from 80 to 410 mg/L.
- Analysis results of surface water reveal the following: pH varies from to 7.6 to 7.7. Total Hardness varies from 42 to 56 mg/L.Total Dissolved Solids varies from 44 to 72 mg/L.BOD varies from <2.0 to 2.5.COD varies from 5 to 10.
- Analysis of Air Quality reveals that: - PM₁₀ varies from 40.6 µg/m³ to 67.9 µg/m³. All the observed values are well below 100 µg/m³.PM_{2.5} varies from 21.8 µg/m³ to 37.3 µg/m³. All the observed values are well below 60 µg/m³.Sulphur dioxide (SO₂) varies from 4.3 µg/m³ to 10 µg/m³. All the observed values are well below 80 µg/m³.Nitrogen (NO₂) varies from 10.9 µg/m³ to 18.4 µg/m³. All the observed values are well below 80 µg/m³. Carbon Monoxide (CO) varies from 0.33 mg/m³ to 0.36 mg/m³. All the observed values are well below 2 mg/m³.



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- f) Analysis of Noise levels reveals that: The day time Leq ranges from 38.5 dB (Min.) to 46.8 dB (Max). The night time Leq varies between 31.4 dB (Min.) to 36.7 dB (Max).
24. **Traffic Study Report** - Traffic study measurements were performed at NH 220 and SH-50. The traffic to and from the proposed site will be through this point. Traffic data collected continuously for 24 hours by visual observation and counting of vehicles under three categories, viz., heavy motor vehicles, light motor vehicles and two/three wheelers. Cumulative traffic Scenario and LOS of existing road as given below:
- Traffic load on SH-50 Road - Existing scenario
 - Volume in PCU/day – 1136, Capacity in PCU/day – 2000
 - Existing V/C Ratio – 0.56, LOS – C, Performance – Good
25. Proposed production capacity of Nangalsila Iron Ore Mine is 90,043 TPA. Average daily production is 246 MT. Despatch of the Iron ore will be done by rail through Kuldhia Railway siding located about 5 KM from the lease area.
26. **Manpower requirement:** The total manpower required for this proposed project is 111 in numbers.
27. **Project cost:** The proposed project cost is estimated to be approximately Rs 1.65 Crore. The fund estimated towards EMP is Rs. 31,48,500.00 as Capital Cost and Rs. 17,33,350.00 as Recurring Cost. Budget for CER Activities is Rs. 5,50,000.00.
28. The Environment consultant **M/s Aseries Envirotek India Pvt. Ltd, Lucknow (UP)-226008** along with the proponent made a presentation on the proposal before the Committee on dtd. 24.04.2023.
29. The SEAC in its meeting held on dated 24-04-2023 decided to take the decision on the proposal after receipt of the following from the proponent. The proponent has furnished the compliance and the SEAC verified the same as follows:

Sl. No.	Information Sought by SEAC	Compliance furnished by the proponent	Views of SEAC
1.	Project proponent shall submit the real time video of the mining lease and the transportation route as per ToRs conditions.	Real time video (soft copy) showing mining lease and the transportation route is attached.	Real time video submitted.
2.	Copy of approval of DMG as per ToRs conditions.	Copy of DMG approval as per ToR condition is enclosed herewith and marked as Annexure-1 and Annexure-2 for your kind reference.	DGPS survey geo referenced retained map area and certified production chart from the 1993-94 to 2008-09 from DDM, Baripada circle submitted.
3.	Exact distance of the lease boundary from boundary of the Similipal Sanctuary and its	The lease area of Nangalsila Iron Ore Mines is located well beyond 10Km from the boundary of the Similipal Sanctuary and its Eco-Sensitive Zone. Exact distance of the lease boundary of Nangalsila Iron Ore Mine from the boundary of	Tahasildar Kusumi, Badampahar certified exact distance of



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

	Eco-Sensitive Zone duly certified by the concerned Tahasildar.	the Similipal Sanctuary and its Eco-Sensitive Zone duly certified by the Tahasildar Kusumi is enclosed herewith and marked as Annexure-3 for your kind reference.	the lease boundary from boundary of the Similipal Sanctuary and its Eco-Sensitive Zone is 11.270km.
4.	Kisam of land and supporting documents for conversion of Kissam of Land to Industrial Use.	As per the schedule of the land provided by the Revenue Department over 45.333 Ha. an area measuring 1.99 Ha. is recorded as Gochar land. The surface right permission has been granted by the Mining Department after recommendation of the Collector-cum-District Magistrate, Mayurbhanj over 32.780 Ha. excluding the Gochar land. Mining operation will be confined to Govt. waste land recorded as Abad Jogya Anabadi, Patharbani and Abad Ajogya Anabadi etc. and private tenanted land which are barren lands and not suitable for cultivation because of its low fertile and have difficult terrains such as hilly area. As per approved mining plan after exhausted of ore the waste land will be reclaimed by way of back filling and plantation. The private land will be restored by way of back filling and levelling and handed over to the land owner for agriculture/cultivation purpose. The land will be used only for excavation of Iron ore, no permanent Industry or infrastructure will be installed/set up in the lease hold area. Therefore, conversion of Kisam of land to Industrial use will not be required for present mining operation. In future, if required will follow the due procedure before use of the Gochar land.	Conversion of Kisam of Land to Industrial Use should be done before starting of Mining activity shall be remain as specific condition.
5.	Copy of surface right issued by the Collector-cum-District Magistrate.	Copy of the surface right permission granted over 32.780 hectares in respect of Nangalsila Iron Ore Mines vide letter dated 17.08.1985 is enclosed herewith and marked as Annexure-4 for your kind reference. We are paying surface rent on regular basis to the Mining Officer, Baripada Circle over 32.780 Ha. We have deposited amounting to Rs.7,46,134.00 towards surface rent in compliance to the demand notice No.599 dated 04.03.2022 issued by the Mining Officer, Baripada Circle.	Complied
6.	A report for quantity of silt generation and silt management along	The mine will be operated by adopting opencast semi-mechanized method as per the Review of Mining Plan duly approved by the Indian Bureau	Complied



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

	with the layout map.	of Mines. Production capacity of the mine is 90,043 TPA only. Very negligible quantity of silt will be generated from the operation of this mine. Report for quality of silt generation and silt management along with the layout map is enclosed herewith and marked as Annexure-5 for your kind reference.	
7.	There is a natural nallah within the lease area. Detailed mitigation measures to be undertaken for protection of Natural Nallah. An undertaking shall be given that they shall not divert the natural nallah for mining purpose without permission from competent authority.	<p>There is one seasonal nallah is passing through the lease area. The said nallah should not be disturbed due to mining operation. The mitigation measures proposed to undertaken for protection of the natural nallah is as follows:</p> <ol style="list-style-type: none"> 1. Stone wall will be constructed along the both side of the nallah as and when required. 2. Plantation as safety zone will be done at 7.5 meters width along the both side of the nallah to protect soil erosion. 3. Run-off from the operational pits or over burden dump should prevented to avoid being discharged to the nallah. 4. Runoff from the mine and waste dumps should be regulated by constructing check dams and garland drains. 5. Mine drainage should be suitably treated to meet the prescribed standard and discharged in to water bodies and land. <p>An undertaking to this effect not to divert the natural nallah for mining purpose without permission from the competent authority is enclosed herewith and marked as Annexure-6 for your kind reference. In case of diversion; alignments with natural drainage should be made by constructing artificial drains.</p>	complied
8.	Details of Surface Runoff Management and Treatment System.	<p>Surface runoff management is one of the major and important parts of mine water management for water conservation purpose and to maintain desired effluents standards from mining activities. Problems caused by runoff and erosion include acid mine drainage, metal contamination, and increased sediment levels in streams.</p> <p>There is no perennial river or major surface water body exists in the mining lease area. Drainage in the core zone shall be regulated in a manner so that the pre-mining drainage pattern of the area can be maintained. The storm water drainage system follows the natural contours facilitated by the fact that the mine will have no significant impact on the topography.</p> <p>Surface Runoff Management (including storm water discharge) will be carried out through a</p>	complied



		<p>network of garland drains and catch pits. The salient features of the drainage management scheme are as follows:</p> <ul style="list-style-type: none">❖ The overall drainage planning will be done in a manner such which follows the existing pre mining drainage routing to the extent possible, maintaining the overall slope in the direction of pre mining flow direction so that run off distribution will be not affected.❖ Garland drains will be provided on sides of quarries, storage areas and external dumps (depending on contours). The garland drains shall be routed through catch pits and settling tanks to settle out suspended solids in the storm water. The clarified water will be discharged to natural water courses.❖ The mine will develop one rain water harvesting pits and a pond in the mine lease area to accumulate the rainwater. The surface runoff during rainy day has tendency to discharge into the natural drainage system of the area. There will be no discharge from the mine. It is required to ensure runoff water quality during rainy season before it joins the seasonal nalla in the core zone.❖ Garland drains shall be constructed to arrest silt and sediments flows from soil and mineral dumps. Hence, garland drains will be constructed around quarry and OB dumps to collect runoff. The water collected can be utilized for watering the mine area, roads, greenbelt development etc. Deep garland drains will be constructed at the toe of sub-grade and OB dumps to arrest silt and sediments flows from soil, and mineral dumps before monsoon. These drains will be desilted regularly and maintained properly. Garland drains (size, gradient and length) and sump capacity shall be designed keeping 50% safety margin over and above the peak sudden rainfall and maximum discharge in the area adjoining the mine site. Sedimentation pits will be constructed at the corners of the garland drains with adequate retention period and shall be desilted at regular intervals particularly before and after the monsoon season.❖ Suitable storm water drainage system along the roads will be provided to dispose storm
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		<p>water effectively. The surface runoff collected in the storm water drains will be channelized through a series of settling cum percolation ponds before discharged.</p> <p>❖ The cross-sectional shape of garland drains can be trapezoidal i.e., with different bottom and top-width as well as it can be rectangular. The two major components of garland drains are retaining wall or toe wall and secondly, the garland drain channel. The retaining walls will be constructed on the side where OB will be dumped or stocks are planned to be piled, to stop the direct flow of silt material into the drains during heavy rainfall. Small holes will be poked into the retaining wall to drain the water and silt which should eventually come to garland drain at a slower speed. The bottom slope of the garland drains will be designed for precipitation of silts due to longer retention. Based on various reports, the standard depth and width of a garland drains is found to be 1.5 m × 1.5 m with 2 m high toe wall.</p>	
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30. The SEAC observed the following:

- a) The proposal was considered by the State Level Expert Appraisal Committee (SEAC), Odisha in its meeting held on 19.02.2022 for appraisal of the proposal for ToR in pursuance of the MoEF&CC, Govt. of India Notification dated 14th March, 2017. The SEAC, after deliberations on the proposal in terms of the provisions of the Notification dated 14th March, 2017 and confirmed the case to be of violation of the EIA Notification, 2006 and recommended for the following:
 - i). The State Government to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986, and further no Consent to Operate to be issued till the project is granted Environmental Clearance.
 - ii). The project proponent shall be required to submit a bank guarantee equivalent to the amount of remediation plan and natural and community resource augmentation plan with the SPCB prior to the grant of Environmental Clearance. The quantum is recommended by the SEAC based on EIA report and finalized by the regulatory authority i.e. SEIAA, Odisha. The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC and approval of the regulatory authority i.e. SEIAA, Odisha.
 - iii). Public hearing has to be conducted as per provisions of EIA Notification 2006 and amendment thereafter and copy of final EIA/EMP report incorporating the public hearing proceeding shall be submitted for final appraisal.
- b) EIA/EMP study report has been prepared by a NABET Accredited / NABL Accredited Consultant namely **M/s Aseries Envirotek India Pvt. Ltd, Lucknow (UP)-226008.**
- c) Detailed assessment of Ecological Damage, Remediation Plan and Natural and Community Resource Augmentation Plan has been incorporated in the EIA report.
- d) An amount of ₹ 19,62,500/- (Rupees Nineteen lakh sixty-two thousand five hundred only) has been estimated in the EIA / EMP report towards the cost of assessment of Environmental / Ecological damage due to violation as well as Natural and Community Resource Augmentation Plan.

- e) There is no specific guideline issued by the MoEF&CC, Govt. of India for assessment of Environmental and Ecological Damage as well as estimation of cost for remediation plan as well as Natural and Community Resource Augmentation Plan.
- f) In the absence of any guidelines, the cost as suggested by the proponent in the EIA report above to be taken into account for remediation plan as well as Natural and Community Resource Augmentation Plan. However, the proponent has to abide by the guidelines if issued by the MoEF&CC, Govt. of India in future and accordingly the proponent has to comply. To this effect, they have to submit an undertaking in form of a legal affidavit.
- g) Total cost of the project is Rs. 165 lakhs and 1% of the project cost is Rs. 1,65,000/-
- h) The certificate of turnover obtained from certified Chartered Accountant (CA) for the period of 1996 to 2011 is Rs. 2,07,39,695/- and 0.25% of the turnover is Rs. 51,850/-
- i) Total penalty to be paid by the proponent as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021 for violation is (1% of the project cost + 0.25% of turnover) = Rs. 1,65,000/- + Rs. 51,850 = Rs. 2,16,850/- (Rupees two lakhs sixteen thousand eight hundred fifty only).
- j) The proponent has intimated that they have suo-moto reported the violation and claimed that they may be allowed to pay half of the total penalty calculated as SoP of MoEF& CC, Govt. of India dtd. 07.07.2021 for violation. But, violation was observed by SEAC, while considering the TOR and they have not suo-moto applied for violation.
- k) No record is available in the file about initiation of legal action against the project proponent by the State Govt./SPCB under the provisions of section 19 of the Environment (Protection) Act, 1986 for violation of the EIA Notification, 2006.

After detailed discussion, the SEAC recommended for grant of Environmental Clearance for production of 90043 TPA Iron Ore in respect of Nangalsila Iron ore mines located in village Nangalsila and Murumdihi over an area 45.333 ha. of non-forest land under Tahasil - Kusumi in District - Mayurbhanj with the following specific conditions in terms of the provisions of the MoEF&CC, Govt. of India notification dated 14th March, 2017 and SoPs for violation cases issued by the MoEF&CC, Govt. of India in addition to the stipulated conditions as per **Annexure- C. However, the Environmental Clearance shall be issued by the SEIAA after receipt of relevant bank guarantee as stated above.**

- (i) The SEAC recommended for an amount of ₹ 19,62,500/- (Rupees Nineteen lakh sixty-two thousand five hundred only) towards the cost of assessment of Environmental / Ecological damage due to violation as well as Natural and Community Resource Augmentation Plan as the proponent has gone in excess of production of Iron ore beyond approved limit of production under EC.
- (ii) The project proponent shall be required to submit a bank guarantee of an amount of ₹ 19,62,500/- (Rupees Nineteen lakh sixty-two thousand five hundred only) towards Remediation plan and Natural and Community Resource Augmentation plan towards violation to be deposited with the State Pollution Control Board, Odisha prior to the grant of Environmental Clearance.
- (iii) The bank guarantee shall be released after successful implementation of the EMP, followed by recommendations of the SEAC, Odisha and approval of the regulatory authority (i.e. SEIAA, Odisha).
- (iv) The proponent has to abide by the SoPs for violation cases issued by the MoEF&CC, Govt. of India on dtd. 07.07.2021 and deposit separately (other than BG) an amount of 2,16,850/- (Rupees two lakhs sixteen thousand eight hundred fifty only) towards the penalty for violation as per SoP of MoEF & CC, Govt. of India dtd. 07.07.2021.
- (v) The SEIAA, Odisha may consider to request to the Govt. in F&E Deptt., Govt. of Odisha to take action against the project proponent under the provisions of section 19 of the Environment (Protection) Act, 1986 for violation of the EIA Notification, 2006. Environmental Clearance is to be issued after initiation of legal action against the project proponent.
- (vi) **Following specific conditions to be stipulated in Environmental Clearance:**



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- (a) Haulage road shall be developed and maintained perennially and perpetually by the proponent in consultation with the concerned authority of the Govt.
- (b) CER related issues as per MoM of public hearing may be prescribed as special condition in EC.
- (c) The Project Proponent shall not divert the natural nallah for mining purpose without permission from competent authority.
- (d) Since details of Nallah etc. are given in Table point 7 and 8 and also submitted a real time video, the PP may include the layout showing the actual activities etc. during submission of periodic compliance.
- (e) The project proponent should submit certified site plan showing details of location of existing natural nallah and the dendritic surface drainage system feeding to the above mentioned nallah for effective discharge of surface runoff, location of proposed garland drain, rainwater collection pits and location of overburden as well as mine waste dump etc. as per the approved mining plan.
- (f) Stone wall will be constructed along both sides of the nallah before commencement of mining operation
- (g) Mine management shall explore the possibility to create adequate storage facility to store the runoff water for usage in non-monsoon season.
- (h) Mine drainage shall be suitably treated to meet the prescribed standards before being discharged outside. In no case the drainage will be released to the nearby land.

31. Any deficiencies/omission have been noticed in the above documents- Nil

2. **Whether SEAC recommended the proposal** –Yes, the SEAC recommended the proposal for EC in its meeting held on 19.06.2023 above mentioned additional conditions.

Decision Of Authority: ADS

The Authority observed that the serial no. 22 of ToR has prescribed for R&R plan / compensation details for the Project Affected People (PAP) which is not furnished. After detailed deliberation in the matter, the Authority decided to seek clarification on the following points: -

- a) The PP shall prepare a R&R plan / compensation detail in consultation with PAP for the project.
- b) The total project cost is mentioned as Rs. 1.65 crores which appears to be less. The PP is required to submit item wise detailed cost of the project at the current rate. The cost of EMP also needs to be revised at the current rate for the items of work proposed in the EMP.

APPROVED BY


Member Secretary, SEIAA


Member, SEIAA


Chairman, SEIAA

AGENDA NO.128.03	
Proposal No.	SIA/OR/MIN/417367/2023
Date of application	09.02.2023
File No.	417367/797-MINB1/02-2023
Project Type	Proposal for EC
Category	B1
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal of Environmental Clearance for Bentakarpada Sand Quarry (under cluster approach) is a sand mining project over an area of 25.00 acres/10.12Ha Located in village Bentakarpada, Tahasil- Barang in District Cuttack of Sri Subash Chandra Rout.
Name of the company/Organization	SUBASH CHANDRA ROUT
Location of Project	Odisha
ToR Date	29.07.2021
Name of the Consultant	M/s Kalyani Laboratories Pvt. Ltd. Bhubaneswar

Proposal in brief: The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.

1. This proposal is for environmental clearance for Bentakarpada sand quarry (under cluster approach) is a sand mining project over an area of 25.00 acres/10.12 Ha located in village Bentakarpada, Tahasil- Barang in District Cuttack of Sri Subash Chandra Rout.
1. **Category:** The project is categorized in Category-B1 of Schedule under item 1(a)-Mining of Minerals in the EIA notification, 2006 and its subsequent amendments.
2. The Quarry lease has granted by the Tahasildar, Baranga to the applicant (successful bidder) Sri Subash Chandra Rout, At-Trisulia, Po-Baranga, Cuttack for mining of river sand (I) for five years.
3. As per the Director of Geology, Odisha, the mining plan has been approved by the Deputy Director of Geology, Bhubaneswar, Odisha vide memo no. GXV(j)- 152/2018/545/DG on dated 21.01.2019.
4. **TOR details:** The Terms of Reference (ToR) has been issued by SEAC, Odisha vide Letter No. SIA/OR/MIN/61621/2021 on dated 29.07.2021.
5. **Public hearing details:** The Public Hearing in respect of Environmental Impact Assessment for Bentakarpada Sand Quarry (under cluster approach) of Sri Suresh Chandra Rout over an area of 10.12Ha. in village Bentakarpada under Barang Tahasil in Cuttack district, Odisha was conducted on 22.06.2022 at 11.30 A.M at the field adjacent to Bentakarpada Sand Quarry under Barang Tahasil of Cuttack. Issues raised in public hearing were dust pollution, water sprinkling on road, not to construct road across the riverbed for the sand quarry, not to construct road through CDA side. Total expenses to be incurred for the action plan is 6 lakhs.
6. There is an another mines within 500 meters of the proposed quarry i.e., Kathajodi River Sand, Tangarhuda of Cuttack Sadar Tahasil, The distance of Kathajodi River Sand, Tangarhuda from the proposed quarry Bentakarpada Sand quarry is 210 meters. This mine had obtained Environment Clearance from SEIAA, Odisha vide letter no. 6183/SEIAA dated 01.11.2018. The Tangarhuda Sand Quarry (Kathajodi R/S) is over an area of 35.00 acres or 14.17 ha. of Smt. Rajashree Behera at village Tangarhuda, Tahasil Sadar Cuttack, District Cuttack.
7. **Location and connectivity:** The proposed project is for the extraction of sand from the allotted Khata No.-57, Plot No-70p, Kissam- Nadi. The project is in survey of India toposheet no. 73H/14



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

and 73H/15 and bounded between the latitudes of 20°27'57.05''N to 20°28'4.9''N and longitudes of 85°19'31.2''E to 85°49'48.06''E. Nearest road is Cuttack- Athagarh road which is located at a distance of 0.7km from quarry lease area. This site is well connected to NH-16 at distance of 6.4kms and State Highway at 2km. Nearest Airport is Bhubaneswar Airport at 24km. The major district road is Banki road which is located at 1.9kms. Nearest railway lines is Naraj-Marthapur railway line which is located at distance of 4.90 kms from the lease area. The nearest road bridge is located at a distance of 1.34km and railway bridge at 8.80km from the lease area. River embankment is at a distance of 500m from the lease boundary. Nearest sanctuaries are Chandaka Elephant sanctuary at 7.50km and Nandankanan Sanctuary at 7.70km.

8. **Topography and drainage:** The proposed project land is the government land leased for excavation of river sand. There will be no change in land use pattern after the end of plan period as the land will remain as the part of Kathajodi riverbed and the quarry area will be replenished during the rainy season. The Sand bed is on the Kathajodi River. The sand bed deposit represents a gentle sloping to almost flat terrain with highest altitude of 32mRL. The drainage of the district is mainly controlled by rivers like Mahanadi, Kathajodi, Kuakhai, Birupa, Chitrapatala, Sidua, Luna and Devi. The river basins are much wider and the sand sources are very much suitable for construction purposes. Being highest order of streams, the energy of the streams is less and the suspensions including the river sand are deposited through sedimentation.
9. **Reserves and total production:** The Geological reserves of the proposed project is estimated to be 303510 cum and mineable reserves is 274920 cum. The rate of proposed production will be maximum up to 105000Cu.m per annum for the period of 5 years.

Year Wise Production Plan	
Year	Production (m ³)
1st Year	105000
2nd Year	105000
3rd Year	105000
4th Year	105000
5th Year	105000
Total	525000

10. **Mining method:** The method of excavation of sand from Sand quarry will be semi mechanized open cast mining. The mode of the deposits, geomorphology of the area and its hydrological condition are some of the factors that favor the open cast method of mining. In this deposit, the mining is done by dry pit method i.e. Sand will be excavated within the active channel on dry intermittent or ephemeral stream beds. The excavator is used for removal of sand from the pits. The sands are extracted, loaded and transferred from pits to the users through trucks and tractors. The mining is done on single shift basis. Benching pattern is not feasible in case of sand, as the angle of repose of sand is 35°, based on this the Ultimate pit slope Limit has been taken as 35°. The maximum depth of mining will be of 2.50 m or up to water table whichever is less.
11. A temporary approach road will be constructed through the riverbed to Cuttack- Banki Road (1500m) through which the vehicles will carry the sand to the user agency. This road connects riverbank road and finally connect to NH 16. There will be movement of 45 nos of vehicles in this road for transportation of sand. The river bank road connect to Banki road which is two lane one way (60 ft wide) is black topped road. There is one school present along the cuttack – banki road used for transportation of sand.
12. **Replenishment study:** Replenishment study for pre & post monsoon period was carried on 20.05.2022 and 21.11.2022 respectively. One base point was fixed with the help of hand held GPS and the coordinates and the RL of the base point was assigned for future reference. The coordinates of the base point is 2264292.454 N and 377988.080 E with RL 26.00 m. Ground survey by total

Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

station on 11 numbers of cross sections for pre monsoon and post monsoon and 1 numbers of longitudinal sections were taken. Surveyed area was covered about 11.00Ha. within which the mining lease area is there. Width of the river measured at 27 places is 2270m (Average width). The quantity of sand replenishment within the source during the year 2022-23 as per surface area method is 69580cum and cross-sectional method is 78408cum.

13. **Baseline study details:** Baseline monitoring period was carried during March to May 2021.

PERIOD	March 2021 to May 2021	Applicable Standards
AAQ PARAMETERS AT 8 LOCATIONS	PM2.5 – 25.6 to 51.3 µg/cu.m	60 µg/cu.m
	PM10 – 43.3 to 77.6 µg/cu.m	100 µg/cu.m
	SO2 – 4.1 to 13.3 µg/cu.m	80 µg/cu.m
	Nox –12.3 to 28.3 µg/cu.m	80 µg/cu.m
Ground water Quality at 4 Location	pH – 6.8 to 7.1	6.5 to 8.5
	Total Hardness – 80 – 180 mg/l	600 mg/l
	Chloride - 20 to 50 mg/l	250 mg/l
	Fluorides – 0 to 0.05 mg/l	1.5 mg/l
	TDS – 90-350 mg/l	1000 mg/l
	Heavy metals (Cd <0.001, As <0.001, Hg<0.0005) mg/l	Heavy metals (Cd <0.003, As <0.01, Hg<0.001) mg/l
Surface water at 2 locations	pH – 8.0 to 8.1	
	Dissolved Oxygen – 7.1 to 7.3 mg/l	
	Biochemical Oxygen Demand – < 1 mg/l	
	Chemical Oxygen demand – < 5 mg/l	
Noise at 8 locations	Day (dBA Leq) 40.1 to 53.6	55
	Night (dBA Leq) - 32.4 to 46.3	45
Soil Quality at 4 locations	pH – 6.7 to 7.2, Potassium – 47 to 99.5 Kg/ Ha, Phosphorous – 23.2 to 42.7 Kg/ Ha, Nitrogen – 87.9-138.1 Kg/Ha, Electrical Conductivity- 155 - 300 ms/Cm	



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

14. **Water requirement:** For drinking & domestic purpose, water requirement will be 1 KLD, water requirement for green belt development and dust suppression will be 2 KLD. So total water requirement will be 3KLD.
15. **Power/fuel requirement:** No use of electric power as the operation will be done in daytime. However solar lights will be used for day to day living purposes. Trucks and Tractors will be used for transportation. The approximate quantity of the fuel/Diesel used per day is 100Lit/day.
16. **Greenbelt:** Plantation has been proposed on both sides of the roads as greenbelt to provide cover against dust emission. A massive plantation will be done along the riverbank of the lease area to mitigate the negative impact of mining.
17. **Employment generation:** Due to the operation of mines, 54 people (out of which, 5nos. are skilled, 15nos. are semi-skilled, 30 nos. are unskilled and 4 nos are management & supervisory. will be directly employed in the mines and about 100 people will indirectly be employed for other allied activity related to mining.
18. **Project cost:** The estimated cost of the proposed project comes around 10lakh. EMP cost breakup is given in following table:

Sl. No	Particulars	Cost/ Annum (in Lakhs)
1.	Environmental Monitoring: Air, Noise 3 Point each and Water 2 points (Twice yearly)	Rs. 1.50
2.	Water sprinkling on the haul road	Rs. 1.00
3.	Green belt development in river bank	Rs. 1.00
4.	Occupational health	Rs. 0.50
Total		Rs. 4.00

19. **Environment Consultant:** The Environment consultant M/s **Kalyani Laboratories Pvt Ltd, Bhubaneswar** along with the proponent made a presentation on the proposal before the Committee.
20. The SEAC in its meeting held on dated 03-03-2023 recommended the followings:
- A) The proponent may be asked to submit the following information and documents for further processing of the EC application.
- Copy of permission from the Irrigation Department for construction of temporary approach road on the water channel.
 - Another sand mine do exist near to the proposed quarry (around 200m away).The said sand mine is in operation having EC in the year 2018. Copy of such Environmental Clearance shall be submitted.
 - Justify, as to why this will not be considered under cluster approach.
 - Copy of lease documents.
 - Lease granted in 2019, why this has not been considered for EC since now?
- B) The proposed site shall be visited by Sub-Committee of SEAC to verify the cluster approach as well as mining activity, if any has been carried out at the site.
21. The proposed site was visited by the sub-committee of SEAC on 02.06.2023. Following are the observations of the sub-committee as mentioned below:
- PP, RI and Consultant were present along with other team members. The Mine is in Kathojodi river and there are no ongoing mining activities.
 - The area was shown by the RI. It was observed that although patches of bushes available in the lease area, there is enough sand available for mining. The approach road to be used is in the opposite side of CDA of the river.



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

- c) There is a small stream at one end flowing (now almost dried up), so required permission from Irrigation department to be taken for transportation within the river.
- d) There is another sand mine under operation with a distance of about 200 m. R.I. and PP explained that the same was under Cuttack Tahasil and already got EC long back. Current site is under Baranga Tahasil. PP was asked to submit required documents as asked during presentation as it comes under cluster.
- e) No bridge or high-tension line is nearby and it is away from embankment.

22. The proponent has furnished the compliance and the SEAC verified the same as follows:

Sl. No.	Information Sought by SEAC	Compliance furnished by the proponent	Views of SEAC
1.	Copy of permission from the Irrigation Department for construction of temporary approach road on the water channel.	Due Certificate vetted by the Office of the Executive Engineer, Prachi Division, Bhubaneswar herewith attached as Annexure-I .	Copy of permission from the Irrigation Department for construction of temporary approach road has been submitted.
2.	Another sand mine do exist near to the proposed quarry (around 200m away). The said sand mine is in operation having EC in the year 2018. Copy of such Environmental Clearance shall be submitted.	Copy of the EC letter of another existing sand mine herewith attached as Annexure-II .	Tangarhuda Sand Quarry (Kathajodi R/S) of Smt. Rajashree Behera is another sand mine granted EC vide letter no. 6183/SEIAA dated 01.11.2018.
3.	Justify, as to why this will not be considered under cluster approach.	The Tangarhuda Sand Quarry (Kathajodi R/S) over an area of 35.00 acres or 14.17 ha at village Tangarhuda, Tahasil Sadar Cuttack, District Cuttack is located at a distance of 210m from the lease area. The mines have obtained environment clearance from SEIAA, Odisha vide letter no. 6183/ SEIAA dated 01.11.2018. As this mine has already obtained EC. The application has been made for Bentakarpada Sand Mines only. However during the preparation of EIA/EMP report the impact has been assessed taking into the consideration of both mines.	-
4.	Copy of lease documents.	Copy of lease document attached as Annexure-III .	submitted
5.	Lease granted in 2019, why this has not been considered for EC since now?	Though the mines have been granted in 2019 and the mining plan was approved in 2019. However due to	submitted



		change in connecting route (due to restriction of drinking water pipeline overhead project) to the mines we have modified the mining plan and also due to the Covid-19 situation, it took longer time and modified mining plan was approved in Dec2020. Then after we made the application for EC and obtained approved ToR in July 2021. After that the EC process occurs as usual & now we are in the final stage of clearance.	
6.	As per the suggestions of the Sub-Committee during their site visit on dated 02.06.2023. Replenishment study report along with satellite map of the proposed project required to be Submitted.	Replenishment Study Report attached as Annexure-IV. Satellite Map of the Bentakarpada Sand Bed attached as Annexure-V .	submitted

Considering the information furnished and the presentation made by the consultant, **M/s Kalyani Laboratories Pvt Ltd, Bhubaneswar** along with the project proponent, the SEAC recommended for grant of Environmental Clearance for the proposal for extraction of sand as per replenishment study i.e. 838.96 cum valid upto lease period with stipulated conditions as per **Annexure – D** and following specific conditions:

- Amended EIA Notification dated 25th July, 2018, Guidelines for sustainable sand mining, 2016 and Enforcement and Monitoring Guidelines for Sand Mining, January 2020 of MoEF&CC, Govt. of India shall be adhered to in execution of Mining as per **Annexure – E**.
- Extraction should not exceed quantity replenished and depth as per replenishment study report. Regular replenishment study as per guidelines to be conducted and report to be submitted.
- Provision of Bio-toilet shall be made at the site.
- Avenue plantation and plantation on both sides of the haulage road in consultation with/ on the advice of concerned Forest Department, Government of Odisha & W.R. Department Government of Odisha as well.
- Stone patching with plantation in between along the stretch of the bank associated with sand mining and necessary ramp construction shall be made.

32. Any deficiencies/omission have been noticed in the above documents- Nil

3. **Whether SEAC recommended the proposal** –Yes, the SEAC recommended the proposal for EC in its meeting held on 19.06.2023 above mentioned additional conditions.

Decision Of Authority: ADS

- The Authority observed that this proposal is coming in cluster with Tangarhuda Sand Quarry (Kathajodi R/S) of Smt. Rajashree Behera which is expiring on 31st October 2023. Therefore, the PP is required to prepare a cluster EIA / EMP taking into account for Bentakarpada River sand Bed and Tangarhuda Sand Quarry.
- The description in the replenishment quantity i.e. 69580 cum in the replenishment study report and 838.86 cum recommend by SEAC be clarified.

APPROVED BY


Member Secretary, SEIAA


Member, SEIAA


Chairman, SEIAA



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

AGENDA NO.128.04	
Proposal No.	SLA/OR/MIN/301543/2023
Date of application	13.07.2023
Project Type	Transfer of EC
Category	B2
Project/Activity including Schedule No.	1(a) Mining of minerals
Name of the Project	Proposal for Transfer of EC of Chatiapali (Singshal) Sand Bed over an area of 12.35 Acre or 5.00 Hector at Village Chatiapali Under Barkot Tahasil of Deogarh District, Odisha.
Name of the company/Organization	Narottam Sahoo village- Jhimiripal, Po- Dimiria Ps- Pallahara Odisha Angul 759119
Location of Project	Odisha

Proposal in brief:

1. The highlights of the proposal as ascertained from the application and as revealed from proceedings/discussion held during the meeting of SEAC/SEIAA, are given as under.
 - (ii) This is a proposal Transfer of EC of Chatiapali (Singshal) Sand Bed over an area of 12.35 Acre or 5.00 Hector at Village Chatiapali Under Barkot Tahasil of Deogarh District, Odisha.
 - (iii) Documents submitted: Application in Form-7, earlier EC copy, Tahasildar forwarding letter, Status of quarry and scrutiny of Rs. 2000/- vide e-Challan Ref. No. 35B25033B0 dated 24.06.2023
 - (iv) The EC of Chatiapali (Singshal) Sand Bed over an area of 12.35 Acre or 5.00 Hector at Village Chatiapali Under Barkot Tahasil of Deogarh District, Odisha, was in favour of Tahasildar, Barkot vide SEIAA letter no. 426/SEIAA dated 08.02.2021.
 - (v) Present status of quarry- operating conditions
 - (vi) Whether submitted KML file-Yes
 - (vii) The PP has submitted Suo-moto-declaration that quarry operated without transfer of EC. Accordingly, submitted total project cost of **Rs.94,41,200/-** and total turnover of **Rs. 25,20,000/-** for production 3901 cum of sand as certified by Tahasildar, Barkote.
 - (viii) Now, the project proponent applied proposal for transfer of EC from the name Tahasildar, Barkot to Sri NAROTTAM SAHOO, (highest bidder/lessee) with attaching Tahasildar forwarding letter vide letter no. 1583 dated 22.06.2023
 - (ix) Any deficiencies/omission have been noticed in the above documents- Not submitted replenishment study report as there is a EC condition to submit ARRS by March 2022.

Whether SEAC recommended the proposal – N/A

Decision Of Authority: Approved

- (i) After detailed discussion, the Authority decided to allow transfer of EC of the said proposal as per the MoEF& CC, Govt. of India O.M. no. F. No. 22-21/2020-IA.III dated 07.07.2021 regarding Standard Operating Procedure (SOP) for identification and handling of violation cases under EIA Notification 2006 and in accordance with the order of Hon'ble National Green Tribunal subject to remittance of total penalty amount of **Rs.50,356/-** (i.e. Halves of 1% of the total project cost of Rs. 94,41,200/- + 0.25% of the total turnover during violation period of Rs.



Minutes of 128th Meeting of SEIAA, Odisha Held on 20.07.2023 & 21.07.2023

25,20,000/-) to State Pollution Control Board (SPCB), Odisha.

- (ii) The PP is required to submit the proof of the penalty receipt along with Annual Rate of Replenishment Study (ARRS) Report to SEIAA, Odisha for further consideration of this proposal.
- (iii) Transfer of EC is allowed for extraction 2500 cum (i.e. 25% of the 1st year production quantity 10000 cum allowed in the EC) of sand material for 2nd year lease period. PP shall submit Annual rate of replenishment study (ARRS) report by 31st December 2024 through ORSAC empanel agency.

APPROVED BY


Member Secretary, SEIAA


Member, SEIAA


Chairman, SEIAA